

NOTICE OF PROPOSED RULEMAKING
TITLE 12. NATURAL RESOURCES
CHAPTER 4. GAME AND FISH COMMISSION

PREAMBLE

1.

<u>Sections Affected</u>	<u>Rulemaking Action</u>
R12-4-102	Amend
R12-4-106	Amend
R12-4-216	Amend
R12-4-406	Amend
R12-4-409	Amend
R12-4-412	New Section
2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statute: A.R.S. §§ 17-231(A)(1), 17-231(B)(8) and 17-238
Implementing statute: A.R.S. §§ 17-102, 17-231(B)(8), 17-301, 17-306, 17-333, 17-345, and 41-1073
3. **A list of all previous notices appearing in the Register addressing the proposed rule:**
Notice of Docket Opening: 15 A.A.C. to be completed by the *Register* editor, January 9, 2009
4. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Ron Day
Address: Arizona Game and Fish Department
5000 W. Carefree Hwy
Phoenix, AZ 85086
Telephone: (623) 236-7352
Fax: (623) 236-7929
E-mail: Rday@azgfd.gov
5. **An explanation of the rules, including the agency's reasons for initiating the rulemaking:**
The Commission proposes creating a new rule, R12-4-412, to allow for the issuance of an Off-Site Weigh-In Permit. In order to ensure proper enforcement of this new rule and that all affected rule changes occur simultaneously, the Department is amending R12-4-106, R12-4-406, and R12-4-409. R12-4-106 is amended to include the licensing time-frames for the new permit in the licensing time-frames chart. In addition, the Commission proposes amending the rule title from "Licensing Time-frames" to "Special Licenses Time-frames" to clearly indicate that the rule only addresses special licenses. Subsection (B) is removed because special license tags are exempt from administrative and substantive review under A.R.S. 41-1073(E)(2) and (3). This subsection does not

apply to special licenses. R12-4-406 is amended to clarify existing language and to include a reference to R12-4-412 because this rule refers to other rules that have requirements for the use of wildlife taken alive with a fishing license. R12-4-409 is amended to clarify existing language and to include the new Off-Site Weigh-In Permit in the list of special licenses under the general provisions and penalties for special licenses.

The Commission proposes to amend R12-4-102 to mirror amendments made to R12-4-307, changing the name of the “bobcat permit tag” to the “bobcat export tag”. The current tag is required by CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) and must be attached to the pelt prior to its sale or export from the state. This tag is not a permit tag, but an export tag, and the proposed amendment reflects this change in terminology. In addition, outdated information and language regarding fees that were in effect prior to 2007 were removed as those fees are outdated. The Department proposes to amend the license fee table to list the “Youth group 2-day fishing license” after the “Class D, One Day Fishing License” as this mirrors the order in which A.R.S. § 17-333(A)(6) describes the licenses. The rule is also amended to include the “Apprentice Hunting License” in the list under the “Class H, Three-day Hunting License” in accordance with recent legislative amendments made by Laws 2008, Ch. 34, House Bill 2251. In addition, the “Resident” and “Nonresident” youth licenses under the “Class F, Combination Hunting and Fishing License” are amended to state that the fee applies before and through the calendar year of the applicant’s 17 birthday. This change makes the license consistent with juniors-only hunts, in which youth ages 10-17 may participate. Currently, applicants can purchase a Youth Combo license through age 20, but cannot participate in juniors-only hunts if they are older than 17 years of age. The rule is further amended to remove statutory references in response to legislative amendments made to A.R.S. § 17-333 in the descriptions provided for the “Class I, Resident Family Fishing License”, “Class J, Resident Family Fishing License”, and “Class K, Combination Family Hunting and Fishing License”.

The Commission proposes creating a new rule, R12-4-412, to establish the Department’s requirements for a new Off-Site Weigh-In Permit. The Department wants to be more accommodating by allowing off-site weigh-ins for fishing tournaments throughout the state. Currently, the Department may authorize tournament sponsors to act as the Department’s agent in possessing fish for transport to off-site weigh-ins under direct Department supervision, but no specific permit exists to accommodate this activity. The Department proposes this new rule and the permit it authorizes to provide a mechanism for the lawful conduct of off-site fishing tournament weigh-ins by creating accountability for the sponsor organizing a fishing tournament. Forrest L. Wood (FLW) Outdoors asked the Game and Fish Commission to amend Commission rules to allow off-site weigh-ins at FLW sponsored Bass Fishing Tournaments at Lake Pleasant and Lake Havasu. FLW Outdoors conducts off-site weigh-in activities in conjunction with their partner/sponsor Wal-Mart. FLW Outdoors and other similar fishing competition organizers and their sponsors are large commercial enterprises offering significant prizes and purses. FLW Outdoors conducts these kinds of weigh-in events in numerous states, but the

transport of live fish to a weigh-in event is currently prohibited in Arizona. FLW Outdoors highlighted the economic benefit to local communities from the visitation and recreation that these tournaments stimulate, the positive exposure local communities receive from national media exposure, and the role these tournaments can play in encouraging fishing recreation and the recruitment of new anglers. In addition, FLW (and other similar organizations) provide a large commercial presence offering millions of dollars in competitive fishing purses. Recent FLW tournaments produced purses of \$1,000,000 and a championship purse of \$2,000,000. The Commission denied the request for an immediate rule change, but directed the Department to consider amendments necessary to implement an off-site weigh-in permitting process in conjunction with regular rulemaking for Article 3 and Article 4. The Department believes permitting off-site weigh-ins must be accompanied by strict regulation because of the risks posed for the introduction of fish disease causing organisms and aquatic invasive species. The Department proposes a rigorous application and permitting process where applicants must demonstrate capabilities to appropriately and safely handle live fish; ownership of appropriate equipment to transport, hold, and release the fish; and appropriate best management practices designed to minimize risks to the fish and the lakes or waters involved. The Department envisions that standards must be met by applicants, permits shall be stipulated with specific procedural requirements, and permit holders would be subject to direct oversight by individuals who administer or enforce laws and regulations governing restricted live wildlife, aquatic invasive species and off-site weigh-ins.

The Commission proposes to amend R12-4-216 to provide additional descriptions of allowable methods of take to mirror the language prescribed under R12-4-304. The Commission proposes to amend R12-4-304 to improve consistency and reduce confusion among hunters regarding the use of crossbows. The Department currently allows the use of bows that are drawn and held with an assisting device, but does not clearly state this in rule. These rule changes must occur simultaneously to maintain consistency between rules and allow for proper enforcement.

6. **A reference to any study relevant to the rules that the agency reviewed and either proposes to rely on in its evaluation of or justification for the rules or proposes not to rely on in its evaluation of or justification for the rules, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

The Department did not rely on any study in its evaluation of or justification for the proposed rules.

7. **A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

8. **The preliminary summary of the economic, small business, and consumer impact:**

In proposing these amendments to R12-4-106, R12-4-406, R12-4-409, and R12-4-412, the Commission's intent is to enact changes relating to the establishment of a "Fishing Tournaments; Off-Site Weigh-In Permit" rule simultaneously to ensure proper enforcement. These amendments must occur simultaneously with the Article 3. Taking and Handling of Wildlife rulemaking package because

the new rule is referenced in R12-4-315. These amendments benefit the public, private industry, and the Department by clearly outlining the new rule, and clarifying the licensing time-frames, general provisions, and penalties rule language. In addition, amendments to R12-4-106 are intended to clearly indicate the rule relates to special permits.

In proposing the amendments to R12-4-102, the Commission's intent is to maintain consistency with amendments made to R12-4-307, by removing outdated fee information, organizing the rule in a more appropriate manner, including information related to recent statutory changes, and aligning the age requirements for participation in juniors-only hunts with the Youth Combo License. These amendments benefit the Department and the public by providing additional clarity to the rule.

In proposing the amendment to R12-4-216, the Commission's intent is to identify and allow the use of a bow drawn and held with an assisting device as lawful to use as a method of take during any season or permit where a crossbow is a lawful method of take. This change benefits the public by clarifying the use of a bow drawn and held with an assisting device as a lawful method of take.

The Department has determined that there are no alternative means of achieving the objective of this rulemaking.

9. **The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:**

See item #4.

10. **The time, place, and nature of the proceedings for the making, amendment, or repeal of the rules or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:**

Written comments will be accepted at the above address for 30 days following date of the publication of this Notice in the *Arizona Administrative Register*. An oral proceeding regarding the proposed rules will be held as follows:

Date: April 17, 2009
Time: 8:00 a.m. to 5:00 p.m.
Location: Arizona Game and Fish Department
5000 W. Carefree Hwy
Phoenix, AZ 85086

The rulemaking record will close at 5:00 p.m. on April 17, 2009

11. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

Not applicable

12. **Any material incorporated by reference its location in the rules:**

Not applicable

13. **The full text of the rules follows:**

TITLE 12. NATURAL RESOURCES
CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

Section

R12-4-102. Fees for Licenses, Tags, Stamps, and Permits

R12-4-106. ~~Licensing~~ Special Licenses Time-frames

ARTICLE 2. MISCELLANEOUS LICENSES AND PERMITS

Section

R12-4-216. Crossbow Permit

ARTICLE 4. LIVE WILDLIFE

Section

R12-4-406. Restricted Live Wildlife

R12-4-409. General Provisions and Penalties for Special Licenses

R12-4-412. ~~Repealed~~ Fishing Tournaments; Off-Site Weigh-In Permit

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

R12-4-102. Fees for Licenses, Tags, Stamps, and Permits

An individual who purchases a license, tag, stamp, or permit listed in this Section shall pay all applicable fees at the time of application, or pay fees as prescribed by the Director under R12-4-115.

Hunting and Fishing License Fees		Fees effective for licenses, tags, stamps, and permits to be used beginning in 2007
Class A, General Fishing License		
Resident	\$18.00	\$23.50
Nonresident Under A.R.S. § 17-333(A)(1), the fee for this license issued in November or December of the year for which the license is valid is half price; that includes half of the surcharge prescribed as authorized by A.R.S. § 17-345.	\$51.50	\$70.25
Class B, Four-month Fishing License		
Nonresident	\$37.50	\$39.75
Class C, Five-day Fishing License		
Nonresident	\$26.00	\$32.00 + \$9.00 for each additional consecutive day
Class D, One-day Fishing License		
Resident	\$12.50	\$16.25 + \$8.00 for each additional consecutive day
Nonresident		\$17.25 + \$9.00 for each additional consecutive day
<u>Resident Youth Group Two-day Fishing License</u>		<u>\$25.00</u>
Class E, Colorado River Only Fishing License		
Nonresident	\$42.50	\$48.75
Class F, Combination Hunting and Fishing License		
Resident Adult	\$44.00	\$54.00
Nonresident Adult	\$177.50	\$225.75

Resident or Nonresident Youth. Fee applies before and through the calendar-year of the applicant's 20th <u>17th</u> birthday.	\$25.50	\$26.50
Resident or Nonresident Child. Fee applies to children who will be at least 10 years of age during the license year but will be less than 14 years of age.		\$20.00
Class G, General Hunting License		
Resident	\$25.50	\$32.25
Nonresident	\$113.50	\$151.25
Resident or Nonresident Child. Fee applies to children who will be at least 10 years of age during the license year but will be less than 14 years of age.		\$15.00
Class H, Three-day Hunting License		
Nonresident	\$51.50	\$61.25
Resident Youth Group Two-day Fishing License	\$25.00	\$25.00
<u>Apprentice Hunting License</u>		<u>Free*</u>
Class I, Resident Family Fishing License		
For Primary Adult	\$28.50	\$36.25
For one additional adult in the immediate family, as prescribed in A.R.S. § 17-333	+\$22.80	+\$29.00
For any child in the immediate family, as prescribed in A.R.S. § 17-333	+\$2.00 per child	+\$2.00 per child
Class J, Resident Family Hunting License		
For primary adult		\$32.25
For one additional adult in the immediate family, as prescribed in A.R.S. § 17-333		+25.80
For any child in the immediate family, as prescribed in A.R.S. § 17-333		+\$15.00 per child
Class K, Combination Resident Family Hunting and Fishing License		
For primary adult		\$54.00
For one additional adult in the immediate family, as prescribed in A.R.S. § 17-333		+\$43.20
For any child in the immediate family, as prescribed in A.R.S. § 17-333		+\$20.00 per child
Class L, Super Conservation Fishing License.		

Gives the same privileges as a Class A General Fishing License, a Class U Urban Fishing License, and a Trout Stamp.		
Resident		\$53.00
Nonresident		\$63.00
Class M, Super Conservation Hunting License. Gives the same privileges as a Class G General Hunting License, and includes a nonpermit-tag for archery deer, archery turkey, fall bear, and mountain lion, and a Unit 12A (North Kaibab) Habitat Management Stamp, a State Waterfowl Stamp, and a State Migratory Bird Stamp.		
Resident		\$118.00
Class N, Combination Super Conservation Hunting and Fishing License. Gives the same privileges as a Class F Combination Hunting and Fishing License and a Class U Urban Fishing License, and includes a nonpermit-tag for archery deer, archery turkey, fall bear, and mountain lion, and a Unit 12A (North Kaibab) Habitat Management Stamp, a State Waterfowl Stamp, and a State Migratory Bird Stamp.		
Resident		\$163.00
Class U, Urban Fishing License		
Resident or Nonresident	\$16.00	\$18.50
The fee for this license issued in November or December of the year for which the license is valid is half price. That includes half the surcharge prescribed as authorized by A.R.S. § 17-345.		
Hunt Permit-tag Fees		
Antelope		
Resident	\$65.00	\$77.50
Nonresident	\$325.00	\$477.50
Bear		
Resident	\$14.50	\$22.25
Nonresident	\$200.00	\$237.50
Bighorn Sheep		
Resident	\$195.00	\$265.00
Nonresident	\$1,000.00	\$1,400.00
Buffalo		

Adult Bulls or Any Buffalo		
Resident	\$750.00	\$1,087.50
Nonresident	\$3,750.00	\$5,444.75
Adult Cows		
Resident	\$450.00	\$652.00
Nonresident	\$2,250.00	\$3,255.25
Yearling		
Resident	\$240.00	\$355.25
Nonresident	\$1,200.00	\$1,747.25
Yearling or Cow		
Resident	\$450.00	\$652.00
Nonresident	\$2,250.00	\$3,255.25
Deer and Archery Deer		
Resident	\$19.50	\$34.75
Nonresident	\$125.50	\$225.25
Junior, resident and nonresident		\$25.00
Elk		
Resident	\$78.00	\$114.00
Nonresident	\$400.00	\$587.50
Junior, resident and nonresident		\$50.00
Javelina and Archery Javelina		
Resident	\$12.50	\$21.25
Nonresident	\$70.00	\$97.50
Junior, resident and nonresident		\$15.00
Mountain Lion		
Resident	\$10.00	\$14.50
Nonresident	\$200.00	\$225.00
Pheasant		
Resident and nonresident, non-archery, non-falconry		Permit application fee only
Turkey and Archery Turkey		
Resident	\$11.00	\$18.00

Nonresident	\$50.50	\$70.25
Junior, resident and nonresident		\$10.00
Sandhill Crane		
Resident or Nonresident	\$5.00	\$7.50
Nonpermit-tag and Restricted Nonpermit-tag Fees		
Antelope		
Resident	\$65.00	\$77.50
Nonresident	\$325.00	\$477.50
Bear		
Resident	\$14.50	\$22.25
Nonresident	\$200.00	\$237.50
Bighorn Sheep		
Resident	\$195.00	\$265.00
Nonresident	\$1,000.00	\$1,400.00
Buffalo		
Adult Bulls or Any Buffalo		
Resident	\$750.00	\$1,087.50
Nonresident	\$3,750.00	\$5,444.75
Adult Cows		
Resident	\$450.00	\$652.00
Nonresident	\$2,250.00	\$3,255.25
Yearling		
Resident	\$240.00	\$355.25
Nonresident	\$1,200.00	\$1,747.25
Yearling or Cow		
Resident	\$450.00	\$652.00
Nonresident	\$2,250.00	\$3,255.25
Deer and Archery Deer		
Resident	\$19.50	\$34.75
Nonresident	\$125.50	\$225.25
Junior, resident and nonresident		\$25.00
Elk		

Resident	\$78.00	\$114.00
Nonresident	\$400.00	\$587.50
Junior, resident and nonresident		\$50.00
Javelina and Archery Javelina		
Resident	\$12.50	\$21.25
Nonresident	\$70.00	\$97.50
Junior, resident and nonresident		\$15.00
Mountain Lion		
Resident	\$10.00	\$14.50
Nonresident	\$200.00	\$225.00
Pheasant		
Resident and nonresident, non-archery, non-falconry		Permit application fee only
Turkey and Archery Turkey		
Resident	\$11.00	\$18.00
Nonresident	\$50.50	\$70.25
Junior, resident and nonresident		\$10.00
Sandhill Crane		
Resident or Nonresident	\$5.00	\$7.50
Stamps and Special Use Permit Fees		
Arizona Colorado River Special Use Permit Stamp. For use by California fishing license holders, resident or nonresident.	\$3.00	\$3.00
Arizona Colorado River Special Use Permit Stamp. For use as prescribed by R12-4-312.	\$3.00	\$3.00
Arizona Lake Powell Stamp. For use by resident Utah licensees.	\$3.00	\$3.00
Bobcat Permit Export Tag. For resident or nonresident.	\$2.00	\$3.00
State Waterfowl Stamp, as prescribed in A.R.S. § 17-333.01, resident or nonresident. Validates a hunting license to allow the license holder to take waterfowl as prescribed in R12-4-203.	\$7.50	\$8.75
State Migratory Bird Stamp, as prescribed in A.R.S. § 17-333.03, resident or nonresident. Validates a hunting license to allow the license holder to take migratory game birds as prescribed in R12-4-203.	\$3.00	\$4.50
Trout Stamp. Validates a Class A license to allow the license holder to take trout.		

Resident	\$10.50	\$15.75
Nonresident	\$49.50	\$57.75
Two-Pole Stamp, resident or nonresident. Validates a fishing license to allow the license holder to engage in simultaneous fishing, as defined in R12-4-101.	The fee for a two pole stamp shall be \$4.00 until September 1, 2006. Afterwards, the fee shall be \$5.00 .	\$6.00
Unit 12A (North Kaibab) Habitat Management Stamp, resident or nonresident. Sikes Act stamp, validates a hunting license to allow the license holder to take deer in unit 12A as prescribed by R12-4-204.	\$15.00	\$15.00
Other License Fees		
Game Bird Field Trial License	\$5.00	\$6.00
Game Bird Hobby License	\$5.00	\$5.00
Game Bird Shooting Preserve License	\$100.00	\$115.00
Fur Dealer's License	\$100.00	\$115.00
Guide License		
Resident or Nonresident	\$100.00	\$300.00
License Dealer's License	\$75.00	\$100.00
License Dealer's Outlet License	\$25.00	\$25.00
Live Bait Dealer's License	\$30.00	\$35.00
Private Game Farm License	\$40.00	\$57.50
Sport Falconry License (3-year license)	\$75.00	\$87.50
Taxidermist License	\$50.00	\$150.00
Trapping License		
Resident	\$10.00	\$30.00
Nonresident	\$50.00	\$275.00
Resident Juvenile	\$10.00	\$10.00
White Amur Stocking and Holding License		
Non-business. Under R12-4-424, an individual who holds a non-business white amur stocking and holding license does not pay the required fee if renewing the license.	\$200.00	\$250.00
Business	\$200.00	\$250.00
Zoo License	\$100.00	\$115.00
Administrative Fees		

Duplicate Fee. Duplicates are not issued for Trout Stamps, Arizona Colorado River Special Use Permits, Arizona Colorado River Special Use Permit Stamps, Arizona Lake Powell Stamps, State Migratory Bird Stamps, or State Waterfowl Stamps, Two-Pole Stamps, Resident Additional Fishing Day Stamps, Nonresident Additional Fishing Day Stamps, and the Unit 12A (North Kaibab) Habitat Management Stamps.	\$3.00	\$4.00
Permit Application Fee.	\$5.00	\$7.50

*This license must be obtained by a mentor hunter as outlined in A.R.S. 17-333(A)(18).

R12-4-106. ~~Licensing~~ Special Licenses Time-frames

~~A.~~ As required by A.R.S. § 41-1072 et seq., the Department shall either grant or deny the following licenses, as defined under R12-4-401, within the listed time-frames. During the administrative completeness review time-frame, the Department may return to the applicant, without denial, any incomplete application that is lacking information required by the Section governing the specific license. The Department shall issue a written notice that accompanies each returned application listing the information that the applicant failed to provide. The administrative completeness review time-frame and the overall time-frame for the applicable license in this Section are suspended from the date on the notice until the date that the Department receives the missing information from the applicant. During the substantive review time-frame, the Department may make one comprehensive written request for additional information, except the Department and the applicant may mutually agree in writing to allow the agency to submit supplemental requests for additional information. The substantive review time-frame and the overall time-frame listed for the applicable license in this Section are suspended from the date on the request until the date that the Department receives the additional information from the applicant. All periods listed are calendar days, and all are maximum time periods. Licenses may be reviewed and issued or denied in less time.

Name of License	Governing Rule	Administrative Completeness Review Time-frame	Substantive Review Time-frame	Overall Time-frame
Aquatic Wildlife Stocking Permit	R12-4-410	10 days	170 days	180 days
Challenged Hunter Access/Mobility Permit	R12-4-217	1 day	29 days	30 days
Crossbow Permit	R12-4-216	1 day	29 days	30 days
Disabled Veteran's License	R12-4-202	1 day	29 days	30 days

Fishing Permits	R12-4-310	10 days	20 days	30 days
<u>Fishing Tournaments; Off-Site Weigh-In Permit</u>	<u>R12-4-412</u>	<u>10 days</u>	<u>20 days</u>	<u>30 days</u>
Game Bird Field Training Permit	R12-4-416	10 days	20 days	30 days
Game Bird Field Trial License	R12-4-415	10 days	20 days	30 days
Game Bird Hobby License	R12-4-419	10 days	20 days	30 days
Game Bird Shooting Preserve License	R12-4-414	10 days	20 days	30 days
Guide License	R12-4-208	10 days	20 days	30 days
License Dealer's License	R12-4-105	10 days	20 days	30 days
Live Bait Dealer's License	R12-4-411	10 days	20 days	30 days
Pioneer License	R12-4-201	1 day	29 days	30 days
Private Game Farm License	R12-4-413	10 days	20 days	30 days
Scientific Collecting Permit	R12-4-418	10 days	20 days	30 days
Small Game Depredation Permit	R12-4-113	10 days	20 days	30 days
Sport Falconry License	R12-4-422	10 days	20 days	30 days
Watercraft Agents	R12-4-509	10 days	20 days	30 days
White Amur Stocking License	R12-4-424	10 days	20 days	30 days
Wildlife Holding License	R12-4-417	10 days	20 days	30 days
Wildlife Rehabilitation License	R12-4-423	10 days	50 days	60 days
Wildlife Service License	R12-4-421	10 days	50 days	60 days
Zoo License	R12-4-420	10 days	20 days	30 days

~~**B. Issuance of Special License Tags is governed by R12-4-120. Proposals are accepted between March 1 to May 31 of each year. Administrative review is completed by the Department within 10 days. The Game and Fish**~~

~~Commission makes its decision on issuance or denial in an open meeting within 30 days after the closing date for proposals. The substantive review time frame is 110 days and the overall time frame is 120 days.~~

ARTICLE 2. MISCELLANEOUS LICENSES AND PERMITS

R12-4-216. Crossbow Permit

- A. For the purposes of this Section, "crossbow permit" means a document issued by the Department that authorizes the permit holder to use a crossbow, or any bow to be drawn and held with an assisting device, during an archery-only season, as prescribed under R12-4-318.
- B. A crossbow permit is valid ~~only when the designated animal for the archery-only season may otherwise be taken by crossbow under~~ during archery-only seasons for big game species for which a crossbow, or any bow to be drawn and held with an assisting device, is allowed under R12-4-304. Possession of a crossbow permit does not waive any other requirement for method of take or licensing.
- C. No change
1. No change
 2. No change
- D. No change
- E. No change
- F. No change
- G. No change
- H. No change
- I. No change

ARTICLE 4. LIVE WILDLIFE

R12-4-406. Restricted Live Wildlife

- A.** For the purposes of this Section, "transgenic species" means any organism that has had genes from another organism put into its genome through direct human manipulation of that genome. Transgenic species do not include natural hybrids nor ~~individuals~~ individual organisms that have had their chromosome number altered to induce sterility. A transgenic animal is considered wildlife if the animal is an offspring of a wildlife species.
- B.** No change
- C.** Requirements for the use of wildlife that occurs in the wild in this state and that has been taken alive under the authority of a valid state hunting and fishing license are prescribed in ~~R12-4-404 and R12-4-405~~ R12-4-404, R12-4-405, and R12-4-412.
- D.** No change
- E.** No change
- F.** No change
- G.** No change
1. No change
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25. No change
26. No change
27. No change
28. No change
29. No change
30. No change
31. No change
32. No change
33. No change
34. No change
35. No change
36. No change

L. No change

1. No change
2. No change

M. No change

1. No change
2. No change
3. No change
4. No change
5. No change

R12-4-409. General Provisions and Penalties for Special Licenses

A. Special licenses are listed as follows:

1. No change
2. Fishing Tournaments; Off-Site Weigh-In Permit, prescribed by R12-4-412;
- ~~2-3.~~ Game bird field training permit, prescribed by R12-4-416;
- ~~3-4.~~ Game bird field trial license, prescribed by R12-4-415;
- ~~4-5.~~ Game bird hobby license, prescribed by R12-4-419;
- ~~5-6.~~ Game bird shooting preserve license, prescribed by R12-4-414;
- ~~6-7.~~ Live bait dealer's license, prescribed by R12-4-411;
- ~~7-8.~~ Private game farm license, prescribed by R12-4-413;
- ~~8-9.~~ Scientific collecting permit, prescribed by R12-4-418;
- ~~9-10.~~ Sport falconry license, prescribed by R12-4-422;
- ~~10-11.~~ White amur stocking and holding license, prescribed by R12-4-424;
- ~~11-12.~~ Wildlife holding license, prescribed by R12-4-417;
- ~~12-13.~~ Wildlife rehabilitation license, prescribed by R12-4-423;
- ~~13-14.~~ Wildlife service license, prescribed by R12-4-421; and
- ~~14-15.~~ Zoo license, prescribed by R12-4-420.

B. No change

C. No change

1. No change
2. No change
3. No change
4. No change

D. No change

E. No change

F. No change

G. No change

H. No change

I. No change

J. No change

K. No change

1. No change
2. No change
3. No change
4. No change
5. No change

- 6. No change
- 7. No change
- L. No change
- M. No change
- N. No change
- O. If required by the governing Section, a special license holder shall submit an annual report to the Department before January 31 of each year on activities performed under the license for the previous calendar year. If the license holder is acting as a representative of an institution, organization, or agency for the purposes of the special license, the annual report is due within 30 days after the license holder's termination of affiliation with that entity. The special license holder shall submit the following information and any additional information required by the governing Section:
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change

R12-4-412. ~~Repealed~~ Fishing Tournaments; Off-Site Weigh-In Permit

- A. For the purposes of this Section, the following definitions apply:
 - 1. "Fishing tournament" means any organized fishing activity on any waters in the state if competition is the primary intent of the organized activity and prizes or incentives are awarded.
 - 2. "Off-site weigh-in" means the transport and weighing of live fish at a location separate and discrete from the body of water where the fish was taken, in association with a fishing tournament.
 - 3. "Sponsor" means a person who conducts, directs, establishes, organizes, promotes or otherwise is responsible for the operation of a fishing tournament.
- B. A sponsor shall ensure that a fishing tournament is conducted in compliance with existing statutes, rules, and Commission Orders pertaining to fishing and any stipulations identified on the permit.
- C. A Sponsor shall obtain and possess an off-site weigh-in permit to conduct off-site weigh-ins in association with the fishing tournament. The off-site weigh-in permit shall allow the Sponsor and official participants to transport fish caught during a tournament from specified fishing tournament waters to a specific off-site location for the purposes of a fishing tournament weigh-in and return of the fish to the originating waters or as directed by the Department. The Sponsor and all participants shall comply with any additional stipulations placed by the Department on the permit for conducting and reporting an off-site weigh-in.
- D. The Sponsor shall apply for an off-site weigh-in permit on a form provided by the Department and available from any Department office. The Sponsor shall provide the following information:
 - 1. Sponsor's name, address, and telephone number or numbers;

2. Wildlife species that will be transported and possessed under the permit;
3. The beginning and ending dates of the fishing tournament;
4. The name, address, and telephone number of the location of the tournament, if applicable. Otherwise, the applicant shall provide the physical description of the location, including townships, ranges, and sections;
5. The name, address, and telephone number of the off-site location where the weigh-in will take place, if applicable. Otherwise, the applicant shall provide the physical description of the location, including townships, ranges, and sections;
6. Detailed description of off-site weigh-in and holding equipment;
7. Description of methods and equipment used to transport fish from and returning fish to the originating water;
8. Number of participants and maximum number of fish to be transported and possessed;
9. The Sponsor's signature and the date of signing. By signing the application, the Sponsor attests that the information provided is true and correct to the best of the Sponsor's knowledge.
- E. The Department shall issue an off-site weigh-in permit in compliance with R12-4-106. The Department shall deny a permit request when it is in the best interest of wildlife health and well-being.
- F. An off-site weigh-in permit shall only be valid for the dates, locations, and fishing tournament specified.
- G. A tournament participant shall carry on the participant's person a copy of the permit and make the permit immediately available for inspection by agents of the Arizona Game and Fish Department or certified peace officers at all times during the off-site weigh-in.
- H. The Sponsor shall ensure that an individual will be present and monitor the event and fish health from the point the fish are transported from the water where the tournament was conducted until the fish are released at the location indicated on the off-site weigh-in permit. The individual who is present must be responsible for administering or enforcing laws and regulations governing restricted live wildlife, aquatic invasive species and off-site weigh-ins.
- I. Within 30 days of the end date of the fishing tournament, the sponsor shall provide a report to the Arizona Game and Fish Department with the information required by the stipulations on the permit.